

**UTILITIES COMMISSION MEETING**  
**July 26, 2021**

**A regular meeting of the City of Jackson Utilities Commission was held in the Council Chambers of City Hall at 4 p.m. on July 26, 2021 with the following persons present: Utilities Commission Chairman Kevin Siepker, Joe Marthaler, Jenna Schwartz, Sandy Phillips and Michael More. Also attending were City Administrator Matt Skaret, Street Superintendent Phil Markman, Water/Wastewater Superintendent Tony Oxborough, City Finance Officer Deb Mitchell, Joan Hargan, Dave Hargan and Recording Secretary Dave Maschoff. (Utilities Commission members Mike Schwartz and Matt Madden were absent.) (A quorum of the Utilities Commission was present.)**

**OPEN THE MEETING**

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Chairman Kevin Siepker called the regular monthly meeting of the Utilities Commission to order.

**APPROVE THE MINUTES FROM THE JUNE 28, 2021 UTILITIES COMMISSION MEETING**

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Siepker asked if there were any additions, corrections or issues regarding the minutes for the June 28, 2021 Utilities Commission meeting. Hearing none, Siepker declared the minutes approved as mailed.

**JOAN HARGAN REQUEST REGARDING UTILITY BILL**

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Joan Hargan said she and her husband Dave have lived on Circle Drive for 34 years.

Hargan said she read her water meter and realized they had a tremendous amount of usage. Hargan noted she called City Hall and said they needed to have someone from the City come to their residence right away because something was really wrong. Hargan said she was told by the person on the phone at City Hall that she would need to call a plumber because the City doesn't do that type of service.

Hargan said that comment offended her. She explained she had worked for Federated Rural Electric for 43 years and customer service was the utmost that REA's employees were trained for. Hargan said never were they to say the word "can't". Hargan said they had to help someone no matter what.

Hargan said the person at City Hall said the City can't send anyone up to their residence. Hargan said she was upset and her husband Dave got on the phone and said he expected someone from the City to come to their residence very shortly.

Hargan said Water/Wastewater Superintendent Tony Oxborough came to their residence. Hargan said Oxborough was an absolute joy. She said Oxborough knows customer service up and down. Hargan said Oxborough treated them wonderfully. She said Oxborough removed the water meter, tested it and found out the new water meter was working normally and there was no excess usage.

Hargan said they had accumulated a pretty healthy water bill. She said she asked the City Hall office staff if they could pay off the bill at \$50 per month until it was paid. Hargan said she was told that they couldn't do that and the bill would have to be paid in three months.

Hargan said, in her opinion, money is not the issue here. She said there are many utility customers in the City of Jackson. Hargan said if you go anywhere socially and the subject of the City of Jackson comes up, it's negative. She said nobody has anything good to say about how the City interacts with people.

Hargan said she realizes the City of Jackson has a monopoly and there is no where else citizens can go for electric service, but she would think there would be some reason to maintain a good customer relationship with the City's utility customers. Hargan noted just to be met at the door with a friendly face and a friendly voice on the phone and the willingness to work with people. She said the word "can't" shouldn't be part of their vocabulary.

Hargan said she also talked with City Finance Officer Deb Mitchell. She said Mitchell talked with City Administrator Matt Skaret about paying \$50 a month on the utility bill until it was paid. Hargan said the City's policy was the bill could be paid over a three-month period.

Hargan said it's not the money. She said she can certainly afford it. Hargan said it just rubbed her the very wrong way to think this is the way it's done and the City isn't going to deviate in any way, shape or form.

Hargan said she is sure there are people that this similar situation has happened to that would have a terrible time paying this big of a water bill. She said would the City maybe disconnect them or threaten them with disconnection?

Hargan suggested the City of Jackson's employees participate in some customer service training. Hargan said the employees at Federated Rural Electric would participate in customer service training often when she worked there. She said helping their customers should be high on the City's priority list.

Skaret noted when Hargan was told she would have to call a plumber, that was true. He said City personnel don't go into the inside of houses and start looking at toilets and whatever might be running inside the house. Skaret said the City Water Department personnel are not plumbers.

Hargan said she knows that, but the City is a utility and the City is mandated by the Public Service Commission to serve their customers.

Regarding policy as a government entity, Skaret said the City staff doesn't have the ability to deviate from policy. He said City staff can't make up policy on the whim. Skaret said the City doesn't have the flexibility that Federated Rural Electric or other businesses might have. He said City Finance Officer Deb Mitchell and himself don't have the ability to make policy. Skaret said the policy comes from the members of the Utilities Commission and the City Council. He said if the Utilities Commission and City Council wants to change the policy, that's fine. Skaret said any policy changes need to come before the Utilities Commission and City Council.

Hargan said that's why she was attending the Utilities Commission meeting. She said if a person is struggling to pay their utility bills, the City should work with those people.

Skaret said the City does work with those customers having difficulty in paying their bill.

Siepkner said what happens if a utility customer couldn't pay their bill on time.

Mitchell explained what the City staff have been given permission to do, is take that portion of the water bill and split it into three months in order to get it paid.

Hargan said she was asking for some wiggle room for people regarding utility bills. She said she wasn't attending the Utilities Commission meeting just for herself, but for other people. Hargan said there should be other alternatives. She said more than three months should be allowed for those that may need more time in paying their utility bills.

Siepkner asked Mitchell if there's been any issues with the general public in spreading out payments over a three-month period.

Mitchell said to be honest, most people are thrilled to have three months to pay their utility bill and are thankful. She said people comment that having three months will help them so much. Mitchell said that's the comments they usually receive. She also added that requests to pay the utility bill over a three-month period doesn't occur a lot because people just want to get the bill paid. Mitchell said those that are having problems paying their utility bill will call and ask if they can spread out their payments and the City will work with them. She said maybe it occurs five or six times a year that someone asks to pay their utility bill over a three-month period. Mitchell said the City staff will work with customers within the parameters of what they are allowed to do.

Oxborough said also with the new water meters, there are alarm systems so if there's a leak, it can be detected and the property owner notified of a potential problem.

Skaret noted one of the benefits of the new AMI water meters is that it will result in better customer service.

Siepkner said he thinks when a utility customer calls City Hall with a problem, the City office staff should give the customer the option of having someone from the Water Department come to their residence to check the water meter. He said if the water meter turns out to be alright, then there would be a \$25 charge.

Mitchell said if there's a large water usage, the City staff will send the Water Department to check the water meter to make sure the customer is being accurately charged or if there's a problem with the meter.

Oxborough pointed out the \$25 charge is if the water meter is tested. He said there's no charge for someone from the Water Department to come and look at a water meter.

Hargan said she pays her City bill on time and she expects service. She said the City has a lousy reputation for customer service.

On another issue, Hargan noted the one-way street on Riverside Drive. She said it used to be two-way street for many years. Hargan said having it as a one-way street affects the residents living on Circle Drive. She asked what the reason was for the one-way traffic.

Markman explained the reason a portion of Riverside Drive is a one-way street is because of regulations imposed by the Minnesota Department of Transportation due to the trail that's along Riverside Drive. He said two-way traffic was allowed on Riverside Drive when the bridge was being reconstructed on Highway 71 and Riverside Drive was used as the detour. Markman said the one-way traffic is due to mandates from the Minnesota Department of Transportation.

Jenna Schwartz apologized to Hargan for having a rough customer service experience. She said she's sure City staff will talk about it.

Hargan thanked the Utilities Commission and Oxborough for his good customer service.

#### **UPDATE REGARDING 712 SOUTH HIGHWAY**

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Skaret said he did some research after the June 28<sup>th</sup> Utilities Commission meeting when the Erickson's were present to discuss the sewer hook-up situation at 712 South Highway. He noted Tam Erickson had alleged that they didn't know anything about the sewer main assessment of \$6,672. Skaret said he researched and found that Erickson's had signed the assessment agreement and the amended assessment agreement in which the assessments were laid out, both the hook-up and the sewer main assessments that everyone who was involved in the project had to pay.

Skaret said he also found some records of meetings that the Erickson's attended with the Utilities Commission and also with former City Administrator Jennifer Bromeland and Engineer Greg Mitchell of Bolton and Menk. Skaret said he wanted to provide that information for the Utilities Commission members.

Siepkner asked about the hook-ups from the house to the sewer main.

Skaret said some property owners opted to do the hook-up from the house to the sewer main themselves or find their own contractor if they didn't want Svoboda Excavating to do it.

Skaret noted Tam Erickson was not present at the July 26<sup>th</sup> Utilities Commission meeting because they are busy with activities at the Jackson County Fair.

Siepkner said the Utilities Commission can't forgive the assessments.

Phillips noted especially since the Erickson's signed the assessment agreements.

Siepkner asked if the Utilities Commission needed to take any action.

Skaret said he didn't think the Commission needed to.

Siepkner said he thought the Utilities Commission should take action to indicate that there was nothing further to be done so the issue doesn't keep coming back.

Marthaler asked if the assessments could be deferred.

Phillips suggested a proposal where the Erickson's assessments could be deferred for five years.

Skaret said if the Utilities Commission wanted to recommend to defer the assessment, then there would need to be a Deferred Special Assessment Agreement. He said City Attorney Brad Anderson would have to draw up an agreement.

**PHILLIPS/MARTHALER moved and it was unanimously carried to recommend to the City Council to offer the Erickson's the ability to either pay the public sanitary sewer assessment or choose to defer it for five years until they sell the property or until they hook-up to the sewer line, whichever comes first. If the Erickson's choose the deferment option, the City will draw up the needed legal paperwork at Erickson's expense.**

#### **SEWER LINE HOOK-UP UPDATE REGARDING PROPERTY AT 807 BAILEY STREET**

Skaret said this agenda item is in regard to Mitch Jasper and the house he's planning to move onto 807 Bailey Street. He said Jasper was unable to attend the June 28<sup>th</sup> meeting and is out of town for the July 26<sup>th</sup> Utilities Commission meeting.

Skaret noted Jasper sent a drawing of what he's proposing to do regarding water and sewer lines for the second house that will be moved to 807 Bailey Street. (Copies of the drawing were distributed to the Utilities Commission members)

Skaret noted according to Jasper's drawing, the service lines would be coming from the new house and crossing in front of the existing house and then connecting to the stub from the main that serves the property.

Siepkner asked how the current house is being fed.

Markman said the current house has water and sewer service coming off of Avenue B to the west of the property. He said there's no sanitary sewer line in front of the house on Bailey Street. Markman said he received a text from Jasper at 1:18 p.m. on July 26<sup>th</sup>. Markman read the text quoting *"I've changed my mind about the water/sewer hook-up. It's going to cost me an extra \$3,000 going into the street. I am asking the Utility Commission tonight to hook-up inside my yard rather than out in the street, but I'm not going to be there, I am in Florida but I will be back tomorrow. In case they say no, I will be at the City Council meeting to override their decision if they say no"*.

Markman said he knows Jasper's drawing isn't to scale, but it doesn't line up with the flags showing where the second house will be located on the property. He said the new house is set further back on the property.

Siepkner pointed out the garages aren't noted on the drawing.

Markman said it would make more sense if the water and sewer lines for the new house ran behind the house because it would be less distance. He said it seems like Jasper is making it more work to go in front of the houses unless he's trying to avoid existing utilities behind the houses. Markman said he doesn't know what Jasper's plans are for electricity.

Siepkner asked how electricity is going to be fed to the new house.

Markman said he didn't know.

Siepkner asked about easements.

Maschoff said Jasper was granted a variance for the placement of the second house on the lot by the Planning and Zoning Commission.

Skaret pointed out the water and sewer lines for the new house will cross in front of the current house on the lot. He said if those houses get sold separately or that lot is separated someday into two lots, their will be sewer service crossing someone else's yard. Skaret said we already have some of that same situation going on in town and the City is trying to get away from that.

Markman noted in the City's current rules, as long as that property is sold as one, Jasper can legally connect the water and sewer service lines as he proposes. Markman said he knows the big question is what happens when Jasper doesn't own that property anymore.

Phillips asked if there would be separate water meters for each house.

Markman said there will be separate meters but if the current house on the lot had a sewer back-up, it could affect the other house on the lot and vice-versa. He said City crews have run into that situation before when someone has a plugged sewer on a shared line. He said sometimes it's difficult to determine which house caused the plugged sewer line and which household is going to pay for unplugging the line.

Maschoff asked Markman if running the lines from the second house directly west to the sewer and water mains on Avenue B would be the correct way to hook-up the second house to sewer and water.

Markman said that is what Jasper had intended to do until he found out what the cost would be to dig into the street and pay \$1,000 for the hook-up. He said the cost would be \$2,000 to dig and a \$1,000 for hook-up directly into Avenue B's main sewer and water line. Markman said Jasper is trying to avoid that cost by just hooking up the lines for the second house to the line that's already coming into the property. Markman noted Jasper can do that himself and it will just cost him some time and materials. He said Jasper can legally have the two houses connected to the one service connection as long as the houses are sold as one property.

Jenna Schwartz noted Jasper has said he will never sell the property.

Oxborough said Jasper can legally have the two houses together on the same water and sewer line through an Indirect Utility Service Agreement since he owns the property. He said the other question is how the two homes will be served by electricity.



Oxborough said if Jasper wanted to split the property, then he would have to have individual water and sewer lines for each house to the main.

Skaret said in the past there have been Indirect Utility Service Agreements for people that may have a sink or stool in their garage or shop and have the lines hooked up to the house. He said Jasper's proposal to have two houses connected with water and sewer lines through an Indirect Utility Service Agreement is unprecedented. Skaret said it's uncommon to split houses and garages, but in this case it's two houses we're going into a different territory here.

Jenna Schwartz asked about how electric service would be provided to both houses.

Markman said he doesn't know what Jasper's plans are regarding electric service. He said that would be a question for MRES Jackson Distribution Maintenance Foreman Jeremy Boogerd. (Boogerd was absent at the Utilities Commission meeting due to vacation)

Going forward, Skaret said the Utilities Commission might want to look at the City's ordinance as far as stipulating when an Indirect Utility Service Line Agreement can be approved clarifying that it's just for an accessory building and not for a residence or primary building.

Siepkner asked if there's wording that could be included in an agreement, that if the property is ever divided or split apart, the installation of separate water and sewer lines will be required.

Markman said that wording is already included in the Indirect Utility Service Line Agreement.

Oxborough pointed out the service lines were separated when the former Assembly of God Church (currently the Jackson Food Shelf) and parsonage property were split so each had their own water and sewer line services.

Siepkner noted the former parsonage had to be disconnected from the church and their own water and sewer lines installed.

Oxborough noted that there's a water main located on Bailey Street if Jasper wanted to hook water service for the new house off of Bailey.

Markman said a sewer main is not located on Bailey but on Avenue B.

Oxborough pointed out the former parsonage for the Assembly of God Church has separate water and sewer lines, but the private sewer line for the parsonage runs through the backyard of the former church property. (now Food Shelf property).

Discussion ensued with several Utilities Commission members asking how the electric service would be provided to both houses.

Sieper asked if the Utilities Commission wanted to table action regarding the sewer and water line hook-ups for the property at 807 Bailey Street.

**JENNA SCHWARTZ/PHILLIPS moved and it was unanimously carried to table action on the sewer and water line hook-ups for the property at 807 Bailey Street until more information is available on how the electric service will be set-up for the two houses on the property.**

### **SUNSET CEMETERY WATER CONNECTION REVISITED**

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Recording Secretary Dave Maschoff said he spoke with John Osterberg on the phone about a week ago to remind him about the July 26<sup>th</sup> Utilities Commission meeting. Maschoff said Osterberg told him that he was going to be out of town and didn't know if they would have any other representatives available to attend.

Maschoff said Osterberg said to put them on the Utilities Commission agenda and if no was at the meeting to speak, to put them on the agenda for a future meeting.

Maschoff noted no representatives of the Cemetery Association were present at the meeting and so the Utilities Commission could move on to the next agenda item.

### **DEPARTMENTAL REPORTS**

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#### **Water Department**

Water/Wastewater Superintendent Tony Oxborough said new water main has been installed from Fourth and South Street up to Terrace Drive as part of the South Street project. He said all the new lines have been bacteria tested and switched over from the old water lines. Oxborough said the Water Department personnel have been hooking up residents' service lines to the new water main and installing new water meters. He said the pace of progress has picked up. Oxborough said work is also underway on the new storm sewer.

Oxborough noted 424 new AMI water meters have now been installed.

Regarding the smoke testing that was conducted on the east side of Jackson, Oxborough said the Water Department has a camera crew that's coming to look at the mains and will actually also go up the individual service lines to resident's houses on First, Second and Third Avenues. Oxborough said there's a lot of water infiltration in that area of Jackson. He said he hopes using a camera to check the main and service lines will provide some information regarding the water infiltration.

Oxborough said the traffic light project at the intersection of Sherman Street and Highway 71 began on July 26<sup>th</sup>. He said at 6 p.m. on July 27<sup>th</sup>, the Water Department will shut the water main off in that area and remove the fire hydrant and cap it.

Oxborough said Svoboda Excavating has installed the fire protection line at Riverside Elementary School and it passed the pressure test on July 26<sup>th</sup>. He said the bacteria test still needs to be completed. Oxborough said the school project is still waiting for permits to begin construction of the building.

Oxborough said the Water Department has been working on the bypass set-up for the Number 2 lift station. He said former Water/Wastewater Superintendent Steve Beckel has been assisting by providing information regarding bypassing the lift station and pump around the lift station. Oxborough said the lift station is being bypassed to upsize and replace base elbows and pipes. He said it's about a two-day project.

Oxborough said there's been discussions with engineers regarding options moving forward with Lift Station No. 4 and a force main.

Oxborough said results are expected in the next couple of months from the pilot study that was done regarding the quality of Jackson's water. He said once those results are presented, there may be discussion on what measures to take to improve the City's water quality.

Oxborough noted the new AMI water meters will send a notification alarm when there's been a high flow of water after a 24-hour period. He said there are high-flow alarms available on the market that will shut the water off in a house if there's an usual amount of water usage.

Oxborough said the parameters of the new AMI water meters can be changed to sound an alarm earlier than 24 hours, however, all of the new water meters have to be installed before the settings can be reset. He noted adding the customer portal where people could check their water usage via a website costs about \$15,000 to install.

Siepkner asked if the fire hydrant at the intersection of Sherman Street and Highway 71 will be re-installed.

Oxborough said the fire hydrant will not be re-installed in that location. He said the elimination of that hydrant was approved with the Fire Department last year. Oxborough said it was determined there's enough fire hydrants within the vicinity that it was the easiest option, at the expense of MnDOT, to remove that hydrant. Oxborough said the fire hydrant that was removed will be torn apart to use for parts.

Phillips asked when the traffic light project is going to be completed.

Skaret said it's scheduled to be completed in October.

## **Street Department**

Markman said the asphalt plant in Worthington is shut down this week. He said the hot mix plant sent their operator to Prinsburg, Minnesota for a week.

Because of temperatures forecast to be around 100 degrees, Markman said the Street Department may adjust their hours a bit to avoid the heat.

Markman said the Street Department has been sweeping streets. He said the South Street project is moving forward and the street light project is underway.

Markman said he received a call from the Law Enforcement Center at 5:15 a.m. on July 26<sup>th</sup> that half a tree had fallen onto State Street and blocked half the street. He said it was unknown why the tree fell. Markman said the Street Department removed the tree from the street.

Markman said the seasonal park employees are caught up with mowing since there's been no rain. He said they have cleaned up the gazebo in Central Park and will paint it. Markman said the mounted table that was in the gazebo was removed and it will be replaced with a picnic table. He said the mounted table was peeling and it looked bad.

Markman said the Street Department has been working with Oxborough on the smoke project and cleaning the lines on First, Second and Third Avenues.

Markman said the curb and gutter on North Highway should be installed in mid-August.

Markman said he had a meeting on Friday, July 23<sup>rd</sup> with Wes Scholtes from Duininck's. He said Duininck's will be starting on the Library and Senior Citizen's alley and parking lot on Wednesday, July 28<sup>th</sup>. Markman said there's some trees that need to be removed. He said there will be 16 stalls in the parking lot at the library. He said the improvements will mean less and easier maintenance on the west side the library, less dirt tracked into the library and better handicap access into the west door of the library. Markman said it makes a huge difference not to have a gravel parking lot when it comes to helping keep the library clean.

Siepkner asked if everybody gets stubbed out along the sanitary sewer project.

Markman said yes. He said there's a stub out to each property whether the property owner hooks up or not. Markman said everyone along the new sanitary sewer line pays an assessment. He said the sanitary sewer project is completed. Markman said the reseeding and dirt work have been done. He said the only thing left to do is the paving on Spirit Lake Drive.

Jenna Schwartz asked Markman about a lot of brush and overgrowth coming out of the guardrail along Highway 71 that's reducing visibility in the area where motorists can turn left off the highway and onto Bluff Avenue. She said it looks like the overgrowth was sprayed, but it's still standing there.

Markman said that's the responsibility of the Minnesota Department of Transportation. He said he's phoned the Windom MnDOT office three times about the situation.

Mitchell said the City office has also called MnDOT about the overgrowth in the guard rail.

## **ADJOURNMENT**

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With no further business, Siepker asked for a motion to adjourn the meeting.

**JENNA SCHWARTZ/MARTHALER moved and it was unanimously carried to adjourn the Utilities Commission meeting at 5:27 p.m.**

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**David A. Maschoff, Recording Secretary**

